



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Industrial Transformation and Advanced Value Chains

Automotive and Mobility Industries

Head of Unit

Registered mail with acknowledgement of receipt

Brussels, 09.03.2017

GROW C4/SPR/cdp(2017)1245701

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Advance copy by email:

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Subject: Request for access to documents – GESTDEM No. 2017/932

Dear Mr Huebner,

Thank you for your e-mail dated 9 February 2017 which was registered at the Internal Market, Industry, Entrepreneurship and SMEs Directorate-General of the European Commission on 15 February 2017, requesting access to documents under Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L145, 31 May 2001, page 43 and following).

1. SCOPE OF YOUR REQUEST

Your e-mail requested access to documents as follows:

"- a list of the meetings between DG GROW and car industry lobbyists concerning the Revision of Regulation (EU) No 443/2009 and Regulation (EU) No 510/2011 setting CO2 emission performance standards for light duty vehicles (CO2 standards for light duty vehicles) (https://ec.europa.eu/clima/consultations/articles/0030_en). Our requests covers for instance the European Automobile Manufacturer Association (ACEA) and/or its Member organisations and/or its associated associations, including BMW Group, DAF Trucks, Daimler, Fiat Chrysler Automobiles, Ford of Europe, Opel Group, Hyundai Motor Europe, Iveco, Jaguar, Land Rover, PSA Peugeot Citroën, Renault, Toyota Motor Europe, Volkswagen Group, AB Volvo, Volvo Car Corporation, FFOE, FEBIAC, ACM, OEB, AIA, CCFA, VDA, AHAI, SIMI, ANFIA, Auto Asociacijas, LAA, RAI, PZPM, ACAP, ACAROM, ZAP SR, BIL Sweden, ANFAC, OSD, Auto-Suisse, SMMT, etc.

- all minutes of the above meetings

- any correspondence between the above mentioned actors on the Revision of the Regulation on CO2 standards for light duty vehicles

Please consider the request applicable for the period starting January 2016 and onwards".

2. DESCRIPTION OF DOCUMENTS IDENTIFIED

Regarding the part of your request which concerns a list of meetings between DG GROW and the associations and organisations listed, we have not identified any existing documents matching the scope of your request. Thus that part of the request has been treated as an access to information request, in accordance with the Code of Good Administrative Behaviour.

Please find enclosed a list of meetings in which the topic "*the Revision of Regulation (EU) No 443/2009 and Regulation (EU) No 510/2011 setting CO2 emission performance standards for light duty vehicles (CO2 standards for light duty vehicles)*" was at least one of the topics addressed.

Regarding the parts of your request which concern the minutes of the above meetings and the correspondence for the period starting January 2016, we have identified two documents that match the scope of your request. Meeting records have been identified for the two meetings held. The meeting records are enclosed.

The documents being released contain personal data, in particular names and functions of European Commission staff below the level of Director, and names and functions of stakeholder representatives other than the main representative of the stakeholder.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

¹ Official Journal L 8 of 12.1.2001, p. 1

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/327
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Joanna Szychowska